

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

SHAWANNA DEVILLE, ET AL.

CIVIL ACTION NO. 6:17-cv-00961

VERSUS

UNASSIGNED DISTRICT JUDGE

CITY OF VILLE PLATTE, ET AL.

MAGISTRATE JUDGE HANNA

**ORDER**

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

**IT IS ORDERED, ADJUDGED, AND DECREED** that the motion to dismiss penalty, punitive, or exemplary damages (Rec. Doc. 5), which was filed by defendants City of Ville Platte and Police Chief Neal Lartigue, is **GRANTED IN PART** and **DENIED IN PART**, consistent with the report and recommendation. More particularly, the motion is **GRANTED** to the extent that the plaintiffs are seeking to recover penalty, punitive, or exemplary damages in connection with their Section 1983 claims against the City of Ville Platte and their Section 1983 official-capacity claims against any individuals, including but not limited to Ville Platte Police Chief Neal Lartigue, and the plaintiffs' claim for the recovery of such punitive damages is

dismissed with prejudice; the motion is GRANTED to the extent that the plaintiffs are seeking to recover penalty, punitive, or exemplary damages in connection with their state-law claims, and the plaintiffs' claim for the recovery of such punitive damages are dismissed with prejudice; and the motion is DENIED in all other respects, particularly with regard to the plaintiffs' claim for the recovery of penalty, punitive, or exemplary damages in connection with any Section 1983 individual-capacity claims that might have been asserted against Police Chief Neal Lartigue.

**THUS DONE AND SIGNED** this 26<sup>th</sup> day of October, 2017.

---

ELIZABETH E. FOOTE  
UNITED STATES DISTRICT JUDGE

